

NINTH DAY
(Thursday, August 21, 1986)

The Senate met at 11:30 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Glasgow, Green, Harris, Henderson, Jones, Kothmann, Krier, Leedom, Lyon, McFarland, Mauzy, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Whitmire.

Absent: Howard.

Absent-excused: Farabee, Washington.

A quorum was announced present.

Senator Grant Jones offered the invocation as follows:

Heavenly Father, we thank Thee for the blessings which Thou hast given us. And as we gather here, give us the wisdom to know the ways that Thou wouldst have us to go and give us the courage to go Thy way. In Christ's name. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator Farabee was granted leave of absence for today on account of important business on motion of Senator Jones.

Senator Washington was granted leave of absence for today on account of important business on motion of Senator Brooks.

MESSAGE FROM THE HOUSE

House Chamber
August 21, 1986

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 40, Relating to service retirement benefits for certain persons retiring from the employee class of the Employees Retirement System of Texas.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate the following enrolled resolutions:

H.C.R. 15
H.C.R. 18

REPORTS OF STANDING COMMITTEES

Senator Brooks, Acting Chairman, submitted the following report for the Committee on Administration:

S.R. 18

S.R. 17

Senator Harris submitted the following report for the Committee on Economic Development:

S.B. 31

C.S.S.B. 15

SENATE BILL ON FIRST READING

The following bill was introduced, read first time and referred to the Committee indicated:

S.B. 32 by Blake

State Affairs

Relating to the sale of Texas souvenirs in the Capitol.

HOUSE BILL ON FIRST READING

The following bill received from the House was read the first time and referred to the Committee indicated:

H.B. 62, To Committee on Finance.

PROCLAMATION FROM THE GOVERNOR

The President laid before the Senate the following Proclamation from the Governor:

P R O C L A M A T I O N
BY THE
GOVERNOR OF THE STATE OF TEXAS

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Under the provisions of Article III, Section 40 of the Texas Constitution, I, Mark White, Governor of Texas, do hereby add to the call of this Second Called Session of the 69th Legislature, now convened, the following:

Legislation to provide fair and equitable treatment of employees through standard policies for employee grievance procedures in each state agency and situation.

Legislation to provide procedures for an orderly and equitable transition in cases of reductions in personnel in state agencies or institutions and for a method by which employees may return to work should conditions change.

Legislation providing for an early retirement incentive program for state employees such as contained in **H.B. 40**.

Legislation establishing the payday for state employees as the first day of each month such as contained in **H.B. 62**.

The Secretary of State will take notice of this action and will notify the members of the Legislature.

Done at Austin, Texas, this 21st day of August, 1986, under the Seal of this State properly attested by the Secretary of State.

/s/Mark White
Governor of Texas

/s/Myra A. McDaniel
Secretary of State

The Proclamation was read and was filed with the Secretary of the Senate.

PROCLAMATION FROM THE GOVERNOR

The President laid before the Senate the following Proclamation from the Governor:

**PROCLAMATION
BY THE
GOVERNOR OF THE STATE OF TEXAS**

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Under the provisions of Article III, Section 40 of the Texas Constitution, I, Mark White, Governor of Texas, do hereby add to the call of this Second Called Session of the 69th Legislature, now convened, the following:

Legislation establishing interim state budget execution authority.

Legislation relating to a one-time deferral of the allocation to the state and local parks funds of certain cigarette tax revenues and the reallocation of such revenues to the general revenue fund.

Done at Austin, Texas, this 21st day of August, 1986, under the Seal of this State properly attested by the Secretary of State.

/s/Mark White
Governor of Texas

/s/Myra A. McDaniel
Secretary of State

The Proclamation was read and was filed with the Secretary of the Senate.

SENATE CONCURRENT RESOLUTION 10

Senator Brooks offered the following resolution:

S.C.R. 10, Commending the citizens sponsoring the Republic of Texas Ball benefiting the Battleship Texas.

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the resolution was considered immediately and was adopted viva voce vote.

GUEST PRESENTED

Senator Montford was recognized and introduced Dr. Lowell Johnson of Lubbock, the Capitol Physician for the Day.

The Senate welcomed Dr. Johnson and expressed their appreciation for his service.

SESSION TO CONSIDER EXECUTIVE APPOINTMENTS

The President announced the time had arrived to consider the Executive appointments to agencies, boards and commissions. Notice of submission of these names for consideration was given yesterday by Senator Edwards.

Senator Edwards moved confirmation of the nominees reported yesterday by the Committee on Nominations.

The President asked if there were requests to sever nominees.

There were no requests offered.

NOMINEES CONFIRMED

The following nominees as reported by the Committee on Nominations were confirmed by the following vote: Yeas 28, Nays 0.

Absent: Howard.

Absent-excused: Farabee, Washington.

Member, Board of Regents, Texas A&M University System: MAYOR HENRY G. CISNEROS, Bexar County.

Member, Texas Board of Health: R. JACK AYRES, JR., Dallas County.

Members, Texas Board of Licensure for Nursing Home Administrators: MRS. RAY PEARL BLOEBAUM, Travis County; DR. REUBEN R. McDANIEL, JR., Travis County; JARMESE MORRIS, Harris County.

Members, Polygraph Examiners Board: CHIEF WILLIAM W. FISHER, Harris County; EDDIE SENIGAUR, Jefferson County.

Members, Texas Animal Health Commission: DELVIN R. BARRETT, Brazos County; ROBERT FRANKLIN BARTLETT, Van Zandt County; JOE E. CHAPA, JR., Hidalgo County; JAMES D. SARTWELLE, Austin County; JAMES B. OWEN, Smith County.

Members, Board of Directors, State Bar of Texas (Appointed by Supreme Court of Texas): GUSTAVO L. GARCIA, Travis County; MARVIN H. HANCOCK, JR., Dallas County.

Members, Board of Trustees, Fire Fighters' Relief and Retirement Fund: DONALD EERNISSE, Brazoria County; BOBBY JOE LOONEY, Tarrant County; JOE RICE, Randall County.

Members, Commission on Fire Protection Personnel Standards and Education: HELEN L. CAMPBELL, Travis County; ALCUS GREER, Harris County; MIKE B. PEREZ, JR., Webb County; LESTER W. TYRA, JR., Harris County.

Members, Pilot Commission for the Ports of Galveston and Texas City: CHARLES CLIFFORD BURKS, Galveston County; CARL GAY, Galveston County; PATRICIA GRAY, Galveston County; CHARLES JORDAN, Galveston County.

Member, Gulf Coast Waste Disposal Authority: CLYDE R. BICKHAM, Harris County.

Members, Texas Board of Examiners in the Fitting and Dispensing of Hearing Aids: HENRY M. CARDER, M.D., Dallas County; GEORGE HOLLAND, JR., Lubbock County; TOM C. LUCENAY, McLennan County.

Members, Home Health Services Advisory Council: ESSIE L. BELLFIELD, Orange County; DR. RUTH L. CONSTANT, Victoria County; EDDIE BERNICE JOHNSON, Dallas County; REVEREND C. ELLIOTT MEANS, Bexar County.

Members, State Human Rights Commission: MAXINE LEE, Travis County; MALLORY ROBINSON, Harris County.

Member, Texas Indian Commission: OWANAH P. ANDERSON, Wichita County.

Members, Texas Advisory Commission on Intergovernmental Relations: KATHLYN J. GILLIAM, Dallas County; EMMETT HUTTO, Harris County; E. C. GREEN, Grayson County; JUDGE THOMAS VICKERS, Bexar County.

Members, Finance Commission of Texas: ALAN BURTON LERNER, Dallas County; KAREN LESLIE SIMON, Tarrant County; CARROLL SULLIVAN, Williamson County; W. R. VANCE, Brazos County.

Members, Board of Regents, Lamar University: WAYNE REAUD, Jefferson County; TRUMAN ARNOLD, Bowie County; DONNA R. DAVIS, Brazos County; OTHO PLUMMER, Jefferson County.

Members, Board of Directors, Trinity River Authority: BERLIN MICHAEL CUMMINGS, Tarrant County; BLAKE GILLEN, Navarro County; MRS. MARY ETHEL JACKSON, Leon County; MELVIN W. JACKSON, JR., Dallas County; DAVID B. JENKINS, Chambers County; B. C. LIVELY, Polk County; ROBERT T. MATTOX, Harris County; JAMES CHARLES PAYTON, Tarrant County; NOBEL WELCH, Kaufman County.

Members, Board of Directors, Texas World Trade Development Authority: JACK COLLINS, Travis County; DAVID FINNEY, Tarrant County; JOHN H. KECK, Webb County; B. J. "RED" McCOMBS, Bexar County; DAN F. PARMAN, Bexar County; BUDDY TEMPLE, Travis County.

Members, Texas Board on Aging: MRS. MARY HAZLEWOOD, Potter/Randall County; EVELYN PORTER, Bexar County; JERRY RIBNICK, Harris County.

Members, Texas Commission on the Arts: KENNETH E. BENTSEN, Harris County; KENNETH Q. CARLILE, Harrison County; HENRY S. MILLER, JR., Dallas County; MARGARET S. MILLS, McLennan County; AARONETTA H. PIERCE, Bexar County; ANN K. STOOL, Val Verde County; JEFFREY WEISS, Dallas County.

Members, Texas State Board of Examiners of Professional Counselors: CAROL E. CHAMPION, Cameron County; KATHERINE CRUMLEY, San Jacinto County; ROBERT L. SMITH, Ph.D., Hunt County.

Members, Texas Commission for the Deaf: DOMINICK V. BONURA, Howard County; SIDNEY J. BRAQUET, Harris County; ANN M. PHILLIPS, Dallas County; N. S. DRAUGHON, JR., Bell County.

Members, State Board of Dental Examiners: TERRY DANIEL DICKINSON, D.D.S., Harris County; CLARA HOFFMAN, Dallas County; WILLIAM J. KEMP, D.D.S., Haskell County; SAM H. RABON, D.D.S., Kleberg County.

Members, Council on Disabilities: MRS. JOSEPH CHIMELAK, Harris County; AMY KIDD ROSENBERG, Travis County; JUDGE BOB L. THOMAS, McLennan County.

Member, State Ethics Advisory Commission: JOHN F. SUTTON, JR., Travis County.

Members, Good Neighbor Commission: DR. MICHAEL L. LAUDERDALE, Travis County; PAULA MONTTOYA, Lubbock County; DR. BILLY REAGAN, Harris County; SONDR A SUGERMAN, Bexar County.

Members, Texas Historical Commission: LUNELLE A. ANDERSON, Hays County; MRS. GEORGE ANN CARTER, Tarrant County; GEORGE CHRISTIAN, Travis County; MRS. VIRGINIA LONG, Gregg County; W. MERRIMAN MORTON, El Paso County; DAN ALVIN WILLIS, M.D., Tarrant County.

Members, Texas Board of Irrigators: JOHN ALAN HEIDMAN, Dallas County; WILLIAM C. LUCAS, Dallas County.

Non-Resident Violator Compact Administrator: GEORGE GRIFFIN, Travis County.

Members, Texas Board of Land Surveying: WALTER FORTNEY, Tarrant County; JAMES D. JOHNSON, Tom Green County; FERN MADDERA, Hockley County; WILLIAM C. WILSON, JR., Tom Green County.

Members, Board of Directors, Lavaca-Navidad River Authority: EDWIN H. DUENOW, Jackson County; HARRY LEE HAFERNICK, Jackson County; J. B. HOUSSEON, Jackson County.

Members, Commission on Law Enforcement Officer Standards: ROGER P. DICKEY, Taylor County; CHARLES W. PHELPS, Brazos County; J. R. "SONNY" SESSIONS, JR., Freestone County.

Members, Texas State Library and Archives Commission: GOVERNOR PRICE DANIEL, SR., Liberty County; AURALIA NELSON McCRELESS, Bexar County.

Members, State Board of Morticians: DR. RAY BURCHETTE, Travis County; JAMES P. HUNTER III, Nacogdoches County; GEORGE A. PARKER, Tarrant County; DONALD H. TAFT, Jefferson County.

Members, Texas Motor Vehicle Commission: EDDIE BRADLEY, Randall County; JOHN R. COOK, Stephens County; ERWIN ELIAS, McLennan County; VIC SALVINO, Dallas County.

Members, Texas Music Commission: TRAMMELL S. CROW, Dallas County; DON ROSS MALONE, Tarrant County; RANDY McCALL, Travis County; JARRELL McCracken, McClennan County; STEPHEN J. MENDELL, Travis County; MANUEL E. RANGEL, Bexar County; RED STEAGALL, Tarrant County; MIKE TOLLESON, Travis County; ANTHONY "LUCKY" TOMBLIN, Hays County.

Member, Texas National Guard Armory Board: HAL BOYD, Howard County.

Member, Nueces River Authority: EDWARD MORRIS JONES, San Patricio County.

Members, State Board of Nurse Examiners: PAULINE BARNES, Bowie County; TEDDY L. LANGFORD, R.N., Ph.D., Lubbock County; KAREN T. McLEAISH, Ector County; AIMEE JOANNA SEAMANS, Bexar County.

Members, State Board of Vocational Nurse Examiners: SHARON JOHNSON, Williamson County; GLENN KENLEY, Hopkins County; SALVADOR ORTIZ-CARRILLO, M.D., Nueces County; ANNIE MAE

PARKER, Bell County; VICTOR W. RHOADS, Tom Green County; SUZANNE WILKINSON, Gray County.

Members, Texas Advisory Board of Occupational Therapy Examiners: MRS. PEGGY L. PICKENS, Harris County; MARIANNE PUNCHARD, McLennan County.

Members, State Pension Review Board: JAMES M. BRELSFORD, Harris County; FRANK EIKENBURG, Collin County.

Members, Texas State Board of Pharmacy: HAROLD D. EAKMAN, R.Ph., Tom Green County; GEORGETTE ERSKINE-HANKINS, Tarrant County; ALBERT E. HOPKINS, SR., Harris County.

Members, Governor's Commission on Physical Fitness: WILLIAM P. DAVES, JR., Dallas County; GEORGE F. DILLMAN, Dallas County; R. LISÁ RICO POPP, Travis County; ELVIN SMITH, Ph.D., Brazos County; NEAL SPELCE, Travis County.

Members, State Board of Plumbing Examiners: STANLEY J. BRIERS, Harris County; JOE W. CAMPBELL, Harris County; WILLIAM D. PICKENS, Harris County.

Members, Texas State Board of Podiatry Examiners: THOMAS F. ECKERT, D.P.M., Smith County; JOHN G. KNECHT, D.P.M., Galveston County.

Member, State Preservation Board: LOWELL LEBERMANN, Travis County.

Member, Texas Board of Private Investigators and Private Security Agencies: PATTI IVEY, Coke County.

Members, Texas State Board of Examiners of Psychologists: BARBARA ADAMS BAILEY, Ph.D., Travis County; HAROLD H. LeCRONE, JR., Ph.D., McLennan County; JOE D. ROBBINS, Dallas County.

Member, Texas Public Building Authority: GERALD J. GOFF, Travis County.

Members, Radiation Advisory Board: DR. FRED J. BONTE, Dallas County; E. LINN DRAPER, JR., Ph.D., Jefferson County; LAURA KEEVER, Harris County.

Member, Railroad Commission of Texas: CLARK JOBE, Travis County.

Member, Texas Real Estate Commission: JAMES N. JOHNSON, Smith County.

Members, Real Estate Research Advisory Committee: GUY CHIPMAN, JR., Bexar County; BILL JENNINGS, Tarrant County; FREDERICK DONALD McCLURE, San Augustine County; DAVID L. STIRTON, Harris County.

Members, Board of Directors, Red River Authority: PAUL LYLE, Hale County; REX H. McANELLY, Gray County; JOHN W. WELCH, Fannin County; ALBERT B. WHARTON III, Wilbarger County.

Commissioner for the Red River Compact: R. C. SLAGLE III, Grayson County.

Member, State Rural Medical Education Board: JAMES W. CALDWELL, M.D., Rockwall County.

Members, Sabine River Authority of Texas: R. EARL LORD, Sabine County; NOLTON L. BROWN, Orange County; JOHN HARVEY BUTTS, San Augustine County; JOHN W. COOKE, Panola County.

Member, Texas Sabine River Compact Commission: DANNY (BUTCH) CHOATE, Orange County.

Member, School Land Board: LOLA L. BONNER, Aransas County.

Members, State Seed and Plant Board: KENNETH W. BOATWRIGHT, Lee County; DAVID KOEPPE, Ph.D., Lubbock County; DARWYN METCALF, Swisher County; RAY JOE RILEY, Castro County; E.C.A. (ED) RUNGE, Ph.D., Brazos County; BEN SMITH, Waller County.

Members, Texas 1986 Sesquicentennial Commission: BOB BOWMAN, Smith County; JIM D. BOWMER, Bell County; CALVIN GUEST, Brazos County; WARREN POTASH, Tarrant County.

Member, Advisory Council on Small Business Assistance: ROY L. FULLER, Harris County.

Members, State Committee of Examiners for Speech Pathology and Audiology: HAROLD G. BEAVER, Bell County; SARA M. HAYNES, Dallas County; CAROL M. HERING, Travis County; MARJORIE RODDY SANGER, McLennan County.

Members, Board of Directors, Sulphur River Basin Authority: DAVID WHITNEY GLASS, Lamar County; WALTER HELM, Hopkins County; BILL JENNINGS, Red River County; RICHARD R. MORRISON, JR., Morris County; VATRA SOLOMON, Titus County; CARROLL WHEELER, Bowie County.

Members, Texas Surplus Property Agency: GERALD D. IRONS, SR., Montgomery County; BRUCE WOOD, Kaufman County.

Members, Board of Tax Professional Examiners: MICHAEL C. FRAZIER, Harris County; ROBERT C. WILLIS, Polk County.

Members, Teachers' Professional Practices Commission: LOUISE DANIEL, Randall County; PETE DE HOYOS, Val Verde County; BERNARD JACKSON, Harris County; MAZIE MACK, Brazoria County; MARVA MILLER, Harris County; RON REAVES, Bexar County; JOSE SALGADO, El Paso County; MIKE SAMPSON, Ph.D., Hunt County; JEFF SANDERS, Uvalde County; JOHN SAWYER III, Harris County; YOLANDA C. VILLAREAL, Nueces County; KATHRYN WHITE, Tarrant County; WENDELL WHITTENBURG, Nolan County; EDWARD WILSON, Taylor County.

Members, Texas Tourist Development Board: ROBERT ALPERT, Dallas County; JOE R. FULTON, Nueces County; GERARD J. INZERILLO, Dallas County; JOHN MOSTY, Bexar County.

Members, Veterans Affairs Commission: ARTURO T. BENAVIDES, Webb County; SAMUEL BIER, Travis County; BILLY E. KIRBY, Bosque County; LINDON WILLIAMS, Harris County.

Members, State Board of Veterinary Medical Examiners: MIKE LEVI, Travis County; MARY E. MAINSTER, D.V.M., Bexar County; FRED K. SOIFER, D.V.M., Harris County.

Members, Texas Water Well Drillers Board: FRANK DEL RIO, Travis County; LINDA R. GAMBILL, Baylor County; BARRY HENDERSON, Gregg County; JOHN H. WALKER, Brazoria County.

Members, Texas Judicial Council: JUDGE JOHN L. McCRAW, JR., Collin County; JUDGE CHARLES J. MURRAY, Tarrant County; JUDGE JOE SPURLOCK II, Tarrant County; JUDGE CURT F. STEIB, Tom Green County.

Member, State Purchasing and General Services Commission: KENNETH R. EPLEY, Tom Green County.

Branch Pilot for the Brazos Santiago Pass, Bar and Tributaries: CAPTAIN NEWTON R. PROHASKA, Cameron County.

Members, Health and Human Services Coordinating Council: MARSHALL W. COOPER, Cochran County; JUDITH L. CRAVEN, M.D., Harris County; ARNOLD N. SWEET, Dallas County; JERRY KANE, Nueces County.

Member, Board of Directors, Texas Housing Agency: PERRY BRADLEY, Hopkins County.

Members, Texas Juvenile Probation Commission: MRS. VICTORIA HUNTER BALDWIN, Travis County; MRS. MARGARET E. DUNN, Hays County; ROY E. TURNER, SR., Randall County.

Member, Public Safety Commission: CALVIN R. GUEST, Brazos County.

Members, Texas Guaranteed Student Loan Corporation: HOMERO AVILA, Hidalgo County; ROBERT L. HARDESTY, Hays County.

Members, Board of Directors, University System of South Texas: MAURO GARCIA, Brooks County; MRS. MARY ANNE FLOURNOY GUTHRIE, Nueces County; C. IVAN WILSON, Nueces County.

Members, Multi-State Water Resources Planning Commission: A. L. BLACK, Parmer County; T. D. (RUSTY) HOWELL, Harrison County; TOM MASTERSON, Harris County; DR. IDRIS TRAYLOR, JR., Lubbock County; JUDSON WILLIAMS, Ph.D., El Paso County.

Members, Texas Structural Pest Control Board: JAMES P. BURNS, Harris County; LARRY A. ESPARZA, Cameron County; ROGER P. MADDOX, Dallas County; TOMMY LESTER BROWN, Tarrant County.

Presiding Judge of the 1st Administrative Judicial District: JUDGE RON CHAPMAN, Dallas County.

COMMITTEE SUBSTITUTE HOUSE BILL 13 ON SECOND READING

The President laid before the Senate on its second reading and passage to third reading:

C.S.H.B. 13, Relating to the removal, suspension, or expulsion of a public school student; to discipline management in public schools; and to the excused absence of certain public school students.

The bill was read second time.

Senator Green offered the following amendment to the bill:

Floor Amendment No. 1

Amend **C.S.H.B. 13** Section 1 by repealing the language in subsection (n) and replacing in lieu thereof the following:

(n) It is the intent of the legislature that districts notify the parents or guardians of students suspended under this section or expelled under Section 21.3011 and that after such notification it is the responsibility of the parent or

guardian to provide adequate supervision for these students during that period of time.

The amendment was read.

Senator Caperton offered the following substitute for Floor Amendment No. 1:

Floor Amendment No. 2

Amend C.S.H.B. 13, SECTION 1, by amending Subsection (n) of Section 21.301 to read as follows:

(n) It is the intent of the legislature that students shall receive adequate supervision from the school district and the student's parents or guardians during the period of suspension.

The substitute amendment was read.

On motion of Senator Parker, Floor Amendment No. 2 was tabled by the following vote: Yeas 25, Nays 3.

Yeas: Barrientos, Blake, Brooks, Brown, Edwards, Glasgow, Green, Harris, Henderson, Jones, Kothmann, Krier, Leedom, Lyon, McFarland, Mauzy, Montford, Parker, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Uribe, Whitmire.

Nays: Caperton, Parmer, Truan.

Absent: Howard.

Absent-excused: Farabee, Washington.

Question recurring on the adoption of Floor Amendment No. 1, the amendment was adopted viva voce vote.

Senator Caperton offered the following amendment to the bill:

Floor Amendment No. 3

Amend C.S.H.B. 13, SECTION 2, as follows:

(1) Amend Subsection (g) of Section 21.3011 to read as follows:

(g) The board or its designee shall deliver a copy of the order expelling the student to the student and the student's parent or guardian. The board or its designee shall also deliver a copy of the order to the authorized officer of the juvenile court in the county in which the student resides. The officer shall determine whether:

(1) a petition should be filed alleging that the student is in need of supervision or engaged in delinquent conduct; or

(2) the student should be referred to an appropriate state agency.

(2) Delete Subsection (h) of Section 21.3011 and reletter the remaining subsections appropriately.

The amendment was read and was adopted viva voce vote.

Senator Uribe offered the following amendment to the bill:

Floor Amendment No. 4

Amend C.S.H.B. 13 Section 3 by adding a new subsection (i) to read as follows:

(i) A school district may provide home-based instruction to students expelled under this section.

The amendment was read and was adopted viva voce vote.

On motion of Senator Uribe and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading viva voce vote.

COMMITTEE SUBSTITUTE HOUSE BILL 13 ON THIRD READING

Senator Uribe moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.H.B. 13 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent: Howard.

Absent-excused: Farabee, Washington.

The bill was read third time and was passed viva voce vote.

SENATE CONCURRENT RESOLUTION 2 ON SECOND READING

The President laid before the Senate on its second reading:

S.C.R. 2, Granting Debora Thompson permission to sue the State of Texas and the Texas Department of Mental Health and Mental Retardation.

The resolution was read second time.

Senator Green moved that the resolution be adopted.

The motion to adopt the resolution was lost by the following vote: Yeas 2, Nays 26.

Yeas: Green, Krier.

Nays: Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Glasgow, Harris, Henderson, Jones, Kothmann, Leedom, Lyon, McFarland, Mauzy, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Whitmire.

Absent: Howard.

Absent-excused: Farabee, Washington.

VOTE ON FINAL PASSAGE OF COMMITTEE SUBSTITUTE HOUSE BILL 13 RECONSIDERED

On motion of Senator Parker and by unanimous consent, the vote by which C.S.H.B. 13 was finally passed was reconsidered.

Question—Shall C.S.H.B. 13 be finally passed?

The bill was again finally passed by the following vote: Yeas 28, Nays 0.

Absent: Howard.

Absent-excused: Farabee, Washington.

VOTE ON FAILURE TO ADOPT SENATE CONCURRENT RESOLUTION 2 RECONSIDERED

On motion of Senator Parker and by unanimous consent, the vote by which S.C.R. 2 failed of adoption was reconsidered.

Question—Shall S.C.R. 2 be adopted?

The resolution was adopted viva voce vote.

RECESS

On motion of Senator Brooks, the Senate at 12:25 o'clock p.m. took recess until 2:00 o'clock p.m. today.

AFTER RECESS

The Senate met at 2:00 o'clock p.m. and was called to order by the President.

MESSAGE FROM THE HOUSE

House Chamber
August 21, 1986

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 35, Relating to appropriations from the state highway fund.

H.B. 70, Relating to the transfer of funds from the state highway fund to the general revenue fund.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

COMMITTEE OF THE WHOLE SENATE

On motion of Senator Brooks and by unanimous consent, the Senate at 2:05 o'clock p.m. agreed to resolve into a Committee of the Whole Senate.

The President appointed Senator Brooks Chairman of the Committee of the Whole Senate.

IN LEGISLATIVE SESSION

The President called the Senate to order as In Legislative Session at 3:55 o'clock p.m.

MEMORIAL RESOLUTIONS

S.R. 41 - By Montford: Memorial resolution for John E. Harding, Sr.

S.R. 43 - By Brooks: Memorial resolution for John B. Turner, Jr.

S.R. 44 - By Brooks: Memorial resolution for Robert Emil Hempel, Jr.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 38 - By Brown: Extending congratulations to the Lake Jackson Americans on their 1986 Texas State Little League Championship.

S.R. 39 - By Barrientos: Extending congratulations to Laura Allison Farrow.

S.R. 40 - By Barrientos: Extending congratulations to Kristin Ann Schuler.

S.R. 42 - By Krier: Extending congratulations to Morningside Manor of San Antonio on its 25th anniversary.

S.R. 45 - By Barrientos: Extending welcome to Guillermo Marino.

S.R. 46 - By Barrientos: Extending welcome to Nicolas Niari.

S.R. 47 - By Parker: Extending congratulations to Northway Baptist Church of Orange.

ADJOURNMENT

On motion of Senator Brooks and by unanimous consent, the Senate at 3:56 o'clock p.m. adjourned until 11:30 o'clock a.m. Monday, August 25, 1986.

TENTH DAY

(Monday, August 25, 1986)

The Senate met at 11:30 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Glasgow, Green, Harris, Henderson, Jones, Kothmann, Krier, Leedom, McFarland, Mauzy, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Washington, Whitmire.

Absent: Howard.

Absent-excused: Lyon.

A quorum was announced present.

Senator Bill Sarpalius offered the invocation as follows:

Dear Father, thank You for this opportunity here for us to live in a free country and to serve the people of this State. Father, please watch over and guide us. Help us to be an example for You. We ask Your blessings on Ted Lyon and his family today on the loss of their loved one. In Your most precious name we pray. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of Thursday, August 21, 1986, was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

Senator Lyon was granted leave of absence for today on account of the death of his father on motion of Senator Brooks.

MESSAGE FROM THE HOUSE

House Chamber
August 25, 1986

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 3, Relating to the fee for personalized license plates.

H.B. 27, Relating to certain fees collected by the clerk of the supreme court, clerks of the courts of appeals, and district clerks and to the disposition of those fees.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives